IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

WP(C).No. 27360 of 2007(F)

PETITIONERS:
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1. BALAKRISHNAN.K.NAIR,
S/O.KRISHNAN NAIR, AGED 71 YEARS, RESIDING AT SRINILAYAM, THAMARAKAD, VELIYANNOOR P.O., KOTTAYAM DISTRICT.

2. P.I.JOHN, S/O.P.V.ABRAHAM, AGED 62 YEARS RESIDING AT PARATHOTTIYIL HOUSE, THMARAKAD, VELIYANNOOR P.O., KOTTAYAM DISTRICT.

BY ADV. SRI.P.C.HARIDAS

RESPONDENTS:
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1. STATE OF KERALA REPRESENTED BY ITS SECRETARY TO THE PUBLIC WORKS DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR, KOTTAYAM.

3. THE EXECUTIVE ENGINEER, PWD ROADS SECTION, PALA.

4. ASSISTANT ENGINEER, PWD ROADS SECTION, KURAVILANGADU.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 27360 OF 2007
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Dated this the 14th day of September, 2007

J U D G M E N T

The grievance of the petitioner as highlighted in the writ petition is to restrain the respondents from providing opening/outlet/sluice to the drainages constructed by the side of Ramapuram-Koothattukulam road or near to the properties of the petitioners. In my considered view, if the petitioners are aggrieved, the right course open to them is to approach the Civil Court. The request for consideration of the representation also is not acceptable for the reason that these representations are only mercy petitions without any statutory support.

I see no reason to entertain this writ petition and it is dismissed.

ANTONY DOMINIC, JUDGE.

Rp